

GOVERNMENT OF ANDHRA PRADESH
ABSTRACT

ABITRATION – SUITS - Settlement of the disputes for an amount of Rs.60.00 lakhs as full and final settlement in respect of the work "Formation of Embankment for Velugodu Balancing Reservoir at Velugodu, Atmakur Mandal, Kurnool District from KM 6.450 to KM 9.264 awarded to Sri Dega Narasimha Reddy, vide L.S.Agreement No.22/SE/87-88, S.E., Telugu Ganga Project Circle, Nandyal, dated 05-12-1987 – Sanction - Orders – Issued.

IRRIGATION & C.A.D. (ARB.) DEPARTMENT.

G.O.(Ms.) No. 232

Dated the 18th August, 2009.

Read the following:-

1. From Sri Dega Narasimha Reddy, representation dt.19-06-2008.
2. From the ENC, Medium Irrigation, Hyderabad, Lr.No.ENC/Med/CEIII/T1/ARB-7/2008, dated 26-08-2008 dt.17-10-2008 and dated 02-04-2009.

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O R D E R:

Sri Dega Narasimha Reddy, Contractor in his representation first read above, has stated that the work " Formation of Embankment for Velugodu Balancing Reservoir at Velugodu, Atmakur Mandal, Kurnool District from KM 6.450 to KM 9.264" vide L.S.Agreement No.22 SE/87-88 of Superintending Engineer, Telugu Ganga Project Circle, Nandyal, dt.05.12.1987 for Rs.352.39 lakhs was awarded to him. But, certain disputes arose between him and the Dept. He and the Dept., have approached the Courts by filing cases. In compliance to the common order of the Hon'ble High Court dated 26-04-2008, he has finally requested the Govt. to forward the case to the ENC. (Maj. Irrgn.), Chairman/Convenor, Rayalaseema Region Committee and to resolve the controversy amicably for mutually agreed settlement.

2. In compliance to the directions of the Hon'ble High Court of A.P. in A.S.No.1605 of 2001, dated 21-04-2008, and based on the representation of the Contractor, the Engineer-in-Chief, Med. Irrigation, Hyderabad in the letter dated 26-08-2008, has furnished report of the conciliation committee for Rayalaseema Region. After negotiation with the contractor, the said Committee has recommended for an amount of Rs.66,46,121/- as full and final settlement of all due towards the subject work.

3. In compliance to the directions of the Hon'ble High Court of A.P. in A.S.No.1605 of 2001, dt. 21-04-2008, and based on the representation of the Contractor, the Prl. Secy. to Govt., I & CAD Dept. has conducted final negotiation with the contractor on 16-10-2008 and finally the contractor has agreed for an amount of Rs.60.00 lakhs as full and final settlement of the decreed amount in O.S.No.242/1993, dated 08.01.2001 in respect of the subject work The ENC (Med.Irrgn.) has obtained and furnished an affidavit to the effect from the contractor, wherein, the contractor has agreed for the finally conciliated amount of Rs.60.00 lakhs and also declared that he will withdraw all his legal proceedings pending in of Andhra Pradesh High Court or in any other Courts in respect of the subject work, if the said amount including interest amounting to Rs.60.00 lakhs is paid to him in token of settlement of the arbitration claims pending in courts in this case.

4. After careful examination of the matter, Govt. hereby sanction an amount of Rs.60,00,000/- (Rupees sixty lakhs only) as full and final settlement of the decreed amount in O.S.No.242/1993, dated 08.01.2001 and in compliance to the directions of the Hon'ble High Court of A.P. in A.S.No.1605 of 2001, dt.21-04-2008, in respect of the work "Formation of Embankment for Velugodu Balancing Reservoir at Velugodu, Atmakur(M), Kurnool District from Km.6.450 to Km.9.264" awarded to Sri Dega Narasimha Reddy, Contractor, vide L.S. Agreement No.22/ SE/87-88, S.E., Telugu Ganga Project Circle, Nandyal, dt. 05-12-1987.

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5. The amount sanctioned in para (4) above, shall be debited to the following Head of Account:

"MH – 4701 Capital outlay on Major and Medium Irrigation – 01 Major Irrigation(Commercial) scheme included in the plan MH-123 TGP – SH-26 D&A – 530 Major works and 531 – Other expenditure".

6. The Chief Engineer (Projects), Irrigation, Kurnool, is directed to arrange to pay the amount sanctioned at para (4) above to Sri Dega Narasimha Reddy, Contractor, duly deducting the amounts that are recoverable on whatsoever account.

7. This order issues with the concurrence of Finance (W&P) Dept., vide their U.O.No. 3069/F7(A2)/09, dated 06-08-2009.

(BY ORDER AND IN THE NAME OF THE GOVERNOR OF ANDHRA PRADESH)

S.P.TUCKER,
PRINCIPAL SECRETARY TO GOVERNMENT.

To

The Chief Engineer (Projects), Irrigation, Kurnool.

The Pay and Accounts Officer, A.P., Hyderabad.

The Director, Works Accounts, A.P., Hyderabad.

The Joint Director, Works Accounts, Nellore.

The Deputy Pay and Accounts Officer, Nellore.

Copy to:

The Engineer-in-Chief, , Medium Irrigation, I & CAD Department,
Jalasoudha, Errummanzil, Hyderabad.

The Engineer-in-Chief, Telugu Ganga Project, I & CAD Dept., Srikalahasti.

Sri Dega Narasimha Reddy, Class-I Contractor, H.No.16-1733,
Rama Murthy Nagar, Nellore – 524 003.

The I & CAD (P&B) Dept.

Finance (W&P) Department.

(with a request to release LOC for the sanctioned amount).

The Accountant-General, Andhra Pradesh, Hyderabad.

The Government Pleader for Irrigation, High Court of Andhra Pradesh,
High Court Buildings, Hyderabad.

The Learned Advocate-General, High Court of Andhra Pradesh,
High Court Buildings, Hyderabad.

S.F. S.Cs.

// FORWARDED :: BY ORDER //

SECTION OFFICER.